



United States Government  
**NATIONAL LABOR RELATIONS BOARD**  
Region 19  
2948 Jackson Federal Building  
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Seattle, Washington 98174-1078

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Agency Web Site: [www.nlrb.gov](http://www.nlrb.gov)

August 31, 2010

(b) (6), (b) (7)(C)

Re: **Chugach Alaska Services, Inc.**  
**Case 19-CA-32402**

Dear (b) (6), (b) (7)(C)

The Region has carefully investigated and considered your charge against **Chugach Alaska Services, Inc.** alleging violations under Section 8 of the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing your charge inasmuch as there is insufficient evidence to establish that the Employer has violated the Act in any manner encompassed by the allegations of the charge. I am, therefore, refusing to issue a Complaint in this matter.

**Means of Filing:** An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. To file an appeal electronically, go to the Agency's Website at [www.nlrb.gov](http://www.nlrb.gov), select **E-GOV**, click on **E-FILING** and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the Acting General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14<sup>th</sup> Street NW, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date and Time:** The appeal is due on **September 14, 2010**. If you file the appeal electronically, it will be considered timely filed if the transmission of the entire document through the Agency's website is accomplished **no later than 11:59 p.m. Eastern Time** on the due date. The responsibility for the receipt of the appeal rests exclusively with the sender. A failure to timely file an appeal electronically will not be excused on the basis of a claim that transmission could not be accomplished because the receiving machine was off-line or unavailable, the sending machine malfunctioned, or for any other electronic-related reason.

If you mail the appeal or send it by a delivery service, it must be received by the Acting General Counsel in Washington D.C. by the close of business at 5:00 p.m. Eastern Time or be postmarked or given to the delivery service no later than **September 13, 2010**.

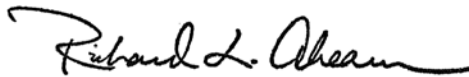
**Extension of Time to File Appeal:** Upon good cause shown, the Acting General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. To file electronically, go to [www.nlrb.gov](http://www.nlrb.gov), select **E-GOV**, click on **E-FILING**, and follow the detailed instructions. The fax number is (202) 273-4283. A request for an extension of time to file an appeal **must be received on or before the original appeal due date**. A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

**Confidentiality/Privilege:** Please be advised that we cannot accept any limitations on the use of any appeal statement or evidence in support thereof provided to the Agency. Thus, any claim of confidentiality or privilege cannot be honored, except as provided by the FOIA, 5 U.S.C. § 552, and any appeal statement may be subject to discretionary disclosure to a party upon request during the processing of the appeal. In the event the appeal

is sustained, any statement or material submitted may be subject to introduction as evidence at any hearing that may be held before an administrative law judge. Because we are required by the Federal Records Act to keep copies of documents used in our case handling for some period of years after a case closes, we may be required by the FOIA to disclose such records upon request, absent some applicable exemption such as those that protect confidential source, commercial/financial information or personal privacy interests (e.g., FOIA Exemptions 4, 6, 7(C) and 7(D), 5 U.S.C. § 552(b)(4), (6), (7)(C), and 7(D)). Accordingly, we will not honor any requests to place limitations on our use of appeal statements or supporting evidence beyond those prescribed by the foregoing laws, regulations, and policies.

**Notice to Other Parties of Appeal:** You should notify the other party(ies) to the case that an appeal has been filed. Therefore, at the time the appeal is sent to the Acting General Counsel, please complete the enclosed Appeal Form (NLRB-4767) and send one copy of the form to all parties whose names and addresses are set forth in this letter.

Very truly yours,



Richard L. Ahearn  
Regional Director

Enclosures/cal

cc: National Labor Relations Board  
Attn: Office of Appeals  
1099 - 14th St NW  
Washington, D.C. 20570

Mr. David Guinn  
Chugach Alaska Services, Inc.  
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UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, D.C. 20570

January 20, 2011

Re: Chugach Alaska Services, Inc.  
Case No. 19-CA-32402

IBEW Local 1547  
(Chugach Alaska Services, Inc.)  
Case No. 19-CB-10041

(b) (6), (b) (7)(C)

Dear (b) (6), (b) (7)(C)

Your appeals from the Regional Director's refusal to issue complaint in the above captioned cases have been carefully considered.

The appeals are denied. Insufficient evidence was presented to establish that on (b) (6), (b) (7)(C) 2009, Chugach unlawfully declined to accept your dispatch from Local 1547's hiring hall because you had assisted the Alaska Occupational Safety and Health (AKOSH) and/or the National Labor Relations Board (NLRB). The evidence failed to establish that Chugach knew of your assistance to these two agencies or believed that you had assisted these agencies when it declined your dispatches.

In addition, it could not be established that the Union discriminated against you or caused you to be "blacklisted" by employers, including Chugach, because of your assistance to AKOSH or the NLRB. To the extent that you contend that the Regional Office investigation was inadequate, after a complete review of the Regional Office files, it was concluded that the Regional Office investigation was properly conducted and was sufficient to resolve all the allegations raised in your unfair labor practice charge. Accordingly, further proceedings were deemed unwarranted.

Sincerely,

Lafe E. Solomon  
Acting General Counsel

By \_\_\_\_\_  
Yvonne T. Dixon, Director  
Office of Appeals

cc: Richard L. Ahearn, Regional Director  
National Labor Relations Board  
915 2<sup>nd</sup> Avenue, Room 2948  
Seattle, WA 98174

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